

California Disaster Relief Tax Provisions

Fires and Civil Unrest Damaged Locations – California 1992

Introduction

This publication outlines the procedures to properly claim a deduction for property damage or destruction resulting from the fires and civil unrest which occurred in April/May of 1992.

1. How to claim a loss.

You may elect to claim a disaster loss on your 1991 income tax return if your damaged property is located in an area designated by the President of the United States to warrant assistance by the federal government. The designated area is Los Angeles County.

You may claim the disaster loss by attaching a copy of federal Form 4684, Casualties and Thefts, and any additional schedules to Form 540, California Resident Income Tax Return. Be sure to use California amounts on the federal form.

To figure your disaster loss for property that is trade or business, income-producing, or rent or royalty property, use Section B of federal Form 4684, Casualties and Thefts. Be sure to use California amounts on this form.

You may also need to use Schedule D-1, Sales of Business Property, and form FTB 3805V, Net Operating Loss (NOL) Carryover and Disaster Loss Deduction — Individuals, Estates and Trusts to report these losses.

If you have already filed your 1991 income tax return, you may claim your disaster loss by completing Form 540X, Amended Individual Income Tax Return. But you must first complete federal Form 1040X, Amended Individual Income Tax Return, before completing Form 540X. You must attach a copy of Form 1040X, including federal Form 4684, Casualties and Thefts, and any additional schedules, to Form 540X. Be sure to use California amounts on this form.

If you do not elect to claim the disaster loss on your 1991 income tax return, you may claim the loss on your 1992 Form 540 using the steps above.

To claim your disaster loss, you must attach a statement to your Form 540 or Form 540X which includes the date of the disaster and the location (city and county) of the disaster.

You may qualify to carryover 100% of any excess disaster loss to your 1992 or 1993 Form 540, California Resident Income Tax Return, if the California legislature includes the disaster location in the special disaster relief provision of California Revenue & Taxation Code Section 17207.

2. How to speed up your refund.

Print “**DISASTER - LOS ANGELES AREA FIRES AND CIVIL UNREST**” at the top of Side 1 of your Form 540 or Form 540X.

3. When to claim your refund.

The fastest way to get your refund is to claim your fires and civil unrest related disaster loss on your 1991 Form 540 or Form 540X. If you claim this loss on your 1992 income tax return, the earliest you will get your refund is 1993.

4. Where to mail your Form 540 or Form 540X.

Franchise Tax Board
P.O. Box 942867
Sacramento, CA 94267-0001

5. Were your California tax returns lost or damaged?

You may replace lost or damaged California tax returns by completing form FTB 3516, Request for Copy of Tax Return, or by writing to:

Franchise Tax Board
P.O. Box 942840
Sacramento, CA 94240-0060

Attn: Data Storage — RID (in lower left-hand corner of envelope)

6. Do you need help?

In person assistance. Franchise Tax Board representatives will be available at our district offices shown below. Our district offices are open Monday through Friday from 8:00 a.m. to 5:00 p.m.

Long Beach 245 West Broadway
Los Angeles 300 South Spring Street

Telephone assistance. Call our regular toll-free telephone service between 8:00 a.m. and 5:00 p.m., Monday through Friday.

From within the United States,
call 1-800-852-5711

From outside the United States,
call (not toll-free) 1-916-854-6500

For federal tax questions, call the Internal Revenue Service.

Hearing Impaired And Bilingual Assistance

Toll-free taxpayer service is provided for the hearing impaired with a Telecommunications Device (TDD). Call 1-800-735-2929. The Franchise Tax Board will also accept calls for, and relay messages to, any California state agency.

Para obtener servicio bilingüe de información sobre impuestos o formularios, llame gratis a los números de teléfonos de su área arriba.